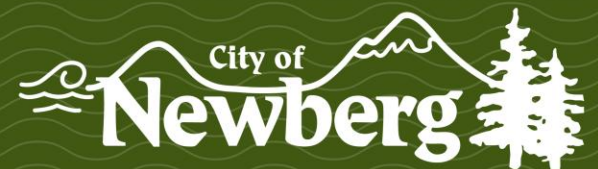


Appeal 2021-0001- Vacation Rental 412 W Fifth Street

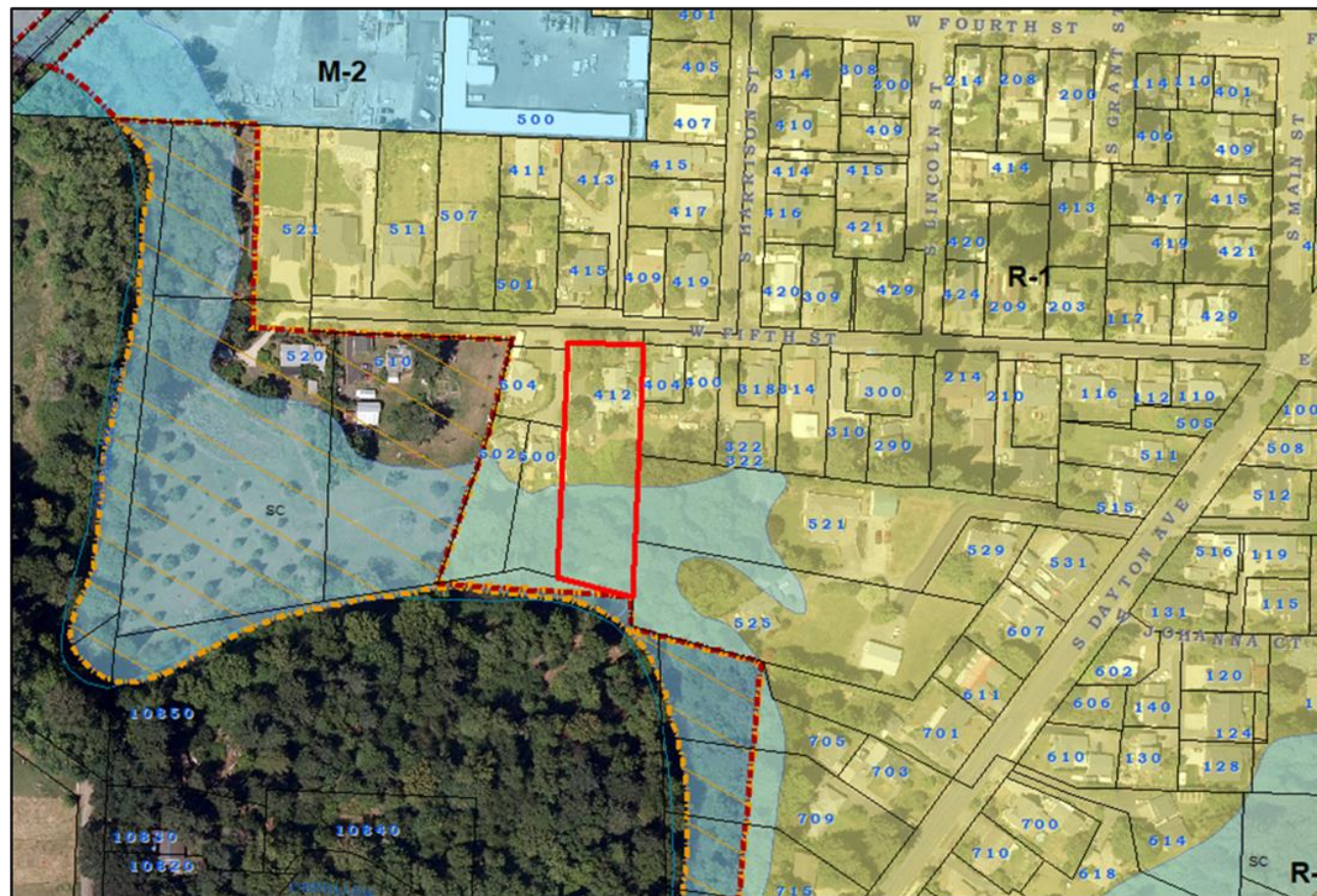
Appeal - Conditional Use Permit CUP21-0001/
Planning Commission Order 2021-06XX
City Council Public Hearing October 18, 2021



Background

- Applicants/Owners: Lauri Hines & Roy Neff
- Request: CUP approve for using an existing 5-bedroom single-family dwelling as a vacation rental.
- Location: 412 W Fifth St.
- Tax Lot: R3219CA 00100
- Zoning: R-1 (Low Density Residential), SC (Stream Corridor), Airport Overlay (Airport Conical Surface)
- Applicable Criteria:
 - 15.225.060 Conditional Use Permit Criteria-Type III
 - 15.445.300–15.445.350 Vacation Rental Homes

Location & Zoning – 412 W Fifth Street



Street View



Right-of-Way, Easement and Frontage Improvements

- Dedicate approximately 3-feet of property along W Fifth Street in order to meet required 28-feet of right-of-way.
- May require encroachment permit for existing retaining wall in right-of-way.
- A 10-foot wide PUE must be recorded.
- Will require a non-remonstrance agreement for eventual frontage improvements.

Applicable Criteria | 15.225.060 | CUP

A.15.225.060

Location, size, design, and operating characteristics are reasonably compatible with the surrounding neighborhood and will have minimal impacts on livability or appropriate development of abutting properties...

- Located in an existing single-family home approximately a ½ mile southwest of Downtown.
- Similar to a regular residential use in design and operating characteristics.
- Two off-street parking spaces provided on-site.

Applicable Criteria | 15.225.060 | CUP

15.225.060

B. The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

C. The proposed development will be consistent with this code.

- The location is attractive for a vacation rental due to its proximity to Downtown Newberg and regional attractions.
- There are two existing parking spaces located on the property.
- This use is compatible with other residential uses, as it is similar in size and scope to a regular rented or owned dwelling.

Applicable Criteria | Summary of 15.445.300 | Vacation Rentals

- (.310) Vacation rental must be single-family dwelling
- 412 W Fifth Street is a single-family dwelling
- (.320) Be registered with City/Transient Lodging Tax
- The owner will register with the City and pay required tax.
- (.330) Standards
- 2 off-street parking spaces provided in the driveway, with a maximum occupancy of 10 guests (2 per bedroom). The premise will not include RVs, tents, or other temporary shelters.
- (.340) Posting
- Contact info for owner, Police, VR standards, max occupancy, garbage pick-up day (Tuesday) will be posted next to the front door.

Hearings

- PC Hearing Dates:
 - July 8, 2021
 - August 12, 2021 – PC Order 2021-06

Appeal

Jonathan Umfleet – August 26, 2021

- Issue 1 – Failed to comply with NDC 15.225.060(A)
- Issue 2 – Failed to comply with NDC 15.225.060(B)
- Issue 3 – Failed to comply with NDC 15.225.060(C), 12.05.090, and 15.505.030

Recommendation

Adopt Order 2021-42, which approves the requested conditional use permit with the attached conditions of approval in Attachment 9, Exhibit “B”, Planning Commission Order 2021-06